

REMARKS

This is a Response to the Office Action mailed August 5, 2004. Claims 6, 7, 15-19, and 23-27 are pending and have been examined in the present application. A listing of these pending claims is provided for the Examiner's convenience, none of the claims have been amended.

The pending claims stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,512,744 to Hughes et al. (Hughes) in view of U.S. Patent No. 6,680,943 to Gibson et al. (Gibson). The Examiner's rejection on this ground is respectfully traversed.

Among the limitations of independent claims 15 and 24 which are neither disclosed nor suggested in the art of record is a requirement for consolidation of communication connections having different destination nodes in a connection-oriented network.

Paragraph 3 of the Final Office Action asserts that Hughes discloses different destination nodes. The Office Action states that Hughes at "col. 3, lines 16-30, and 52-57 disclose that router 28 provides access to the final destination of a packet with destination D1 perceived at edge router 10. Furthermore, egress edge router 30 forwards the packets to router 28 for forwarding to its ultimate destination." However, the destination node D1 and other destination nodes are not in a connection-oriented network. These nodes are outside of the connection-oriented network, in the customer's packet-switched network. It is respectfully submitted that Hughes discloses a single destination node within the connection-oriented network, namely the egress edge router 30, as shown in Figs. 2 and 4. In contrast, the present invention requires different destination nodes (the so-called "edge routers" in Hughes) within the connection-oriented network. Such nodes are illustrated, for example, in Fig. 5 at reference numerals 110 and 111.

In Hughes, since the destination node D1 and other destination nodes are not in a connection-oriented network, a plurality of the connections are merged by using common transfer label in a section between the start-point node and another node in the connection-oriented network section of the route to the single destination node.

On the contrary, in the present invention, the destination node D1 and other destination nodes are in a connection-oriented network. It is impossible for Hughes to use a common transfer label to branch the transfer route on the way to the destination nodes of each respective connection, when the destination nodes are in the connection-oriented network. Using Hughes' method, the virtual channel identifier in the cell is over-written with a common virtual channel identifier (see Hughes, Fig. 4). This merge method only works when there is a common egress point out of the connection-oriented network, because all cells contain the common virtual channel identifier only, which is not enough information to effect a branch. In contrast, the present invention realizes a branch in the transfer route along the way to each respective destination node by stacking labels. Therefore, in the absence of any disclosure or suggestion of merging communication connections having different destination nodes in the connection-oriented network, claims 15 and 24 are believed to be in condition for allowance.

Claims 6-7, 16-19, 23, and 25-27 depend from claims 15 and 24 and include all the limitations found therein, and therefore are allowable for the same reasons. In addition, these claims recite additional limitations which, in combination with the limitations of claims 15 and 24 respectively, are not disclosed or suggested in the art of record.

Application No.: 09/727,046

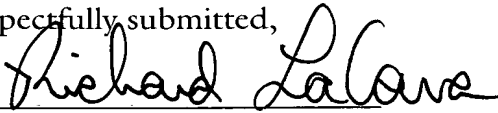
Docket No.: Y2238.0025/P025

New dependent claim 28 is added to more fully claim the invention.

Reconsideration of the application and allowance of the claims are earnestly solicited.

Dated: February 1, 2005

Respectfully submitted,

By 

Richard LaCava

Registration No.: 41,135

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

1177 Avenue of the Americas, 41st Floor

New York, New York 10036-2714

(212) 835-1400

Attorney for Applicant